

# PATENT COOPERATION TREATY

From the INTERNATIONAL SEARCHING AUTHORITY

## PCT

To:  
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INVITATION TO PAY ADDITIONAL FEES

**PCT** Article 17(3)(a) and Rule 40.1)

Applicant's or agent's file reference <b>P11861PCT</b>	<b>P</b> Date of mailing (day/month/year) <b>10/07/2003</b>
International application No. <b>PCT/US 02/ 17381</b>	International filing date (day/month/year) <b>31/05/2002</b>
Applicant  <b>INTEL CORPORATION</b>	

**1. This International Searching Authority**

- (i) considers that there are 4 (number of) inventions claimed in the international application covered by the claims indicated ~~below~~ on the extra sheet:

and it considers that the international application does not comply with the requirements of unity of invention (Rules 13.1, 13.2 and 13.3) for the reasons indicated ~~below~~ on the extra sheet:

- (ii) ☒ has carried out a partial international search (see Annex) ☐ will establish the international search report on those parts of the international application which relate to the invention first mentioned in claims Nos.:

**1-5, 23-37, 45-49, 64-67, 71-73**

- (iii) will establish the international search report on the other parts of the international application only if, and to the extent to which, additional fees are paid


**2. The applicant is hereby invited, within the time limit indicated above, to pay the amount indicated below:**

<u>EUR 945,00</u>	x	<u>3</u>	=	<u>EUR 2.835,00</u>
Fee per additional invention		number of additional inventions		total amount of additional fees

Or, \_\_\_\_\_ x \_\_\_\_\_ = \_\_\_\_\_

The applicant is informed that, according to Rule 40.2(c), the payment of any additional fee may be made under protest, i.e., a reasoned statement to the effect that the international application complies with the requirement of unity of invention or that the amount of the required additional fee is excessive.

3. ☐ Claim(s) Nos. \_\_\_\_\_ have been found to be unsearchable under Article 17(2)(b) because of defects under Article 17(2)(a) and therefore have not been included with any invention.

Name and mailing address of the International Searching Authority  European Patent Office, P.B. 5818 Patentlaan 2 NL-2280 HV Rijswijk Tel. (+31-70) 340-2040, Tx. 31 651 epo nl, Fax: (+31-70) 340-3016	Authorized officer  <b>Patricia Klingens-Herklots</b>
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This International Searching Authority found multiple (groups of) inventions in this international application, as follows:

1. Claims: 1-5 23-27 45-49 64-67 71-73

Method, apparatus and system for receiving content descriptors and a trigger signal from a server, and for sending feedback in response to said trigger signal.

2. Claims: 6-9 28-31 50-52 68-70 74-76

Method, apparatus and system for receiving content descriptors from a server and for sending feedback after fixed time intervals.

3. Claims: 10-15 32-37 53-56 77-79

Method, apparatus and system for receiving content descriptors from a server and for generating demand data after which feedback is sent to the server

4. Claims: 16-22 38-44 57-63 80-85

Method, apparatus and system for receiving content descriptors and content from a server, for storing said content and for sending feedback after an amount of the stored content is consumed.

1. D1 = US-A-6160989 discloses a subscriber terminal that receives content descriptors from a server, that receives a trigger signal from the server and that sends feedback in response to said trigger signal. The feedback is sent via a network connection or through a back channel. An order is determined and content is identified before sending the content to the clients.

2. As a consequence is the subject-matter of the independent claims 1, 23, 45, 64 and 71 and their dependent claims 4, 26, 48, 65-67 and 73 not novel, Art. 33(2) PCT.

3. The subject-matter of the dependent claims 2, 5, 24, 27, 46 and 49 is not inventive, Art. 33(3) PCT.

In D1 there is already a network connection between client and server at the time of sending the trigger signal. Therefor is there in D1 no explicit disclosure of establishing a network connection in order to send feedback. However, for a person skilled in the art would it be straightforward to establish the connection if the connection were not there yet.

4.1 The special technical feature as meant in Rule 13.2 PCT of the first alleged invention with respect to D1 is (found in claims 3, 25, 47 and 72):

- using a binary exponential backoff system

This special technical feature solves the problem of establishing a

network connection.

4.2 The special technical feature as meant in Rule 13.2 PCT of the second alleged invention with respect to D1 is :

- timing lapsed time after a feedback and sending feedback on predetermined intervals

This special technical feature solves the problem of the server becoming overwhelmed by feedback of different users at the same time.

4.3 The special technical feature as meant in Rule 13.2 PCT of the third alleged invention with respect to D1 is :

- generating demand data after which feedback is sent

This special technical feature solves the problem of providing direct user requests.

4.4 The special technical feature as meant in Rule 13.2 PCT of the fourth alleged invention with respect to D1 is :

- storing content and sending feedback after an amount of the stored content is consumed

This special technical feature solves the problem of monitoring the amount of locally available content.

5. Thus, the subjects of these 4 groups of claims are not so linked by common or corresponding special technical features as to form a single general inventive concept (Rule 13.1 PCT) and therefore the requirements of unity of invention are not fulfilled.

1. The present communication is an Annex to the invitation to pay additional fees (Form PCT/ISA/206). It shows the results of the international search established on the parts of the international application which relate to the invention first mentioned in claims Nos.:

1-5, 23-27, 45-49, 64-67, 71-73

2. This communication is not the international search report which will be established according to Article 18 and Rule 43.

3. If the applicant does not pay any additional search fees, the information appearing in this communication will be considered as the result of the international search and will be included as such in the international search report.

4. If the applicant pays additional fees, the international search report will contain both the information appearing in this communication and the results of the international search on other parts of the international application for which such fees will have been paid.

**C. DOCUMENTS CONSIDERED TO BE RELEVANT**

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	US 6 160 989 A (BONNER ALFRED E ET AL) 12 December 2000 (2000-12-12)	1, 2, 4, 5, 23, 24, 26, 27, 45, 46, 48, 49, 64-67, 71, 73
Y	column 3, line 40 -column 4, line 59  column 8, line 49 -column 9, line 33 column 27, line 16 -column 28, line 57 ---	3, 25, 47, 72
Y	GUMMALLA A C V ET AL: "An access protocol for a wireless home network" WIRELESS COMMUNICATIONS AND NETWORKING CONFERENCE, 1999. WCNC. 1999 IEEE NEW ORLEANS, LA, USA 21-24 SEPT. 1999, PISCATAWAY, NJ, USA, IEEE, US, 21 September 1999 (1999-09-21), pages 1392-1396, XP010353704 ISBN: 0-7803-5668-3 page 1392, right-hand column, line 15-41 page 1394, right-hand column, line 1-17  --- -/-	3, 25, 47, 72

☒ Further documents are listed in the continuation of box C.

☒ Patent family members are listed in annex.

\* Special categories of cited documents :

"A" document defining the general state of the art which is not considered to be of particular relevance

"E" earlier document but published on or after the international filing date

"L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)

"O" document referring to an oral disclosure, use, exhibition or other means

"P" document published prior to the international filing date but later than the priority date claimed

"T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention

"X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone

"Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.

"&" document member of the same patent family

Annex to Form PCT/ISA/206  
 COMMUNICATION RELATING TO THE RESULTS  
 OF THE PARTIAL INTERNATIONAL SEARCH

International Application No  
 PCT/US 02/17381

C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT		
Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
A	<p>WO 01 15449 A (SINGULARIS S A ;VAMPARYS            FRANCK (CH)) 1 March 2001 (2001-03-01)</p> <p>page 5, line 5 -page 6, line 9            page 11, line 3 -page 15, line 18            -----</p>	<p>1-5,            23-27,            45-49,            64-67,            71-73</p>

# Patent Family Annex

Information on patent family members

International Application No

PCT/US 02/17381

Patent document cited in search report		Publication date	Patent family member(s)	Publication date
US 6160989	A	12-12-2000	US 5600364 A	04-02-1997
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			EP 0732031 A1	18-09-1996
			EP 0963116 A2	08-12-1999
			ES 2151590 T3	01-01-2001
			HK 1014823 A1	28-09-2001
			JP 9510327 T	14-10-1997
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			US 6201536 B1	13-03-2001
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			AT 177277 T	15-03-1999
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			AU 691479 B2	21-05-1998
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			AU 5733294 A	04-07-1994
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			AU 5845894 A	22-06-1994
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WO 0115449	A	01-03-2001	AU 6310500 A	19-03-2001
			WO 0115449 A1	01-03-2001